

### Section 103(a) Rejection:

The Office Action rejected claims 16-22 under 35 U.S.C. § 103(a) as being unpatentable over Goff et al. (U.S. Patent 5,658,123) (hereinafter "Goff") in view of Sims et al. (U.S. Patent 5,434,775). Applicants traverse this rejection on the grounds that the Goff patent is not prior art to the present application. The American Inventors Protection Act of 1999 amended 35 U.S.C. § 103(c) to state that art which qualifies as prior art only under § 102(e), (f) or (g) is not available for rejections under § 103 if that art and the subject matter of the application under examination were owned by or subject to an obligation of assignment to the same assignee at the time the invention was made. This change to 35 U.S.C. § 103(c) is effective for any application filed on or after November 29, 1999. The present application was filed on October 3, 2000 and thus is an application for patent filed after November 29, 1999. Also, the Goff patent is a reference available as prior art under §102(e) since the present application is entitled to the benefit of the June 19, 1997 filing date of its parent. **At the time the invention was made, the subject matter of present application and the Goff patent were both owned by or subject to an obligation of assignment to the same assignee, Advanced Micro Devices, Inc.** Therefore, the amendment to 35 U.S.C. § 103(c) made by the American Inventors Protection Act of 1999 applies to the present application and operates to exclude the Goff patent as available prior art for rejections under 35 U.S.C. § 103.

### CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Conley, Rose, & Tayon, P.C. Deposit Account No. 501505/5000-83702/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Request for Approval of Drawing Changes
- ☐ Notice of Change of Address
- ☐ Marked-up Copy of Amended Claims
- ☐ Marked-up Copy of Amended Paragraphs
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$  
for fees (        ).
- ☐ Other:

Respectfully submitted,



---

B. Noël Kivlin  
Reg. No. 33,929  
ATTORNEY FOR APPLICANT(S)

Conley, Rose & Tayon, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 476-1400

Date: September 24, 2002